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REMARKS


The present amendment is being made to establish a claim under 35 USC §120 to priority from another patent application copending herewith and containing common subject matter and identity of inventorship. Amendment is also being made to correct several minor typographical errors in the Specification. No new matter is believed to be introduced hereby.

Respectfully,

Kieran P.J. Murphy, M.D.

Date:

Oct. 9, 2001


Richard J. Godlewski
Reg. No. 30,056

Enclosure: Declaration signed September 27, 2001

Attachment: Marked up Copy of Amended Specification Paragraphs



MARKED UP COPY OF AMENDED SPECIFICATION PARAGRAPHS:

Page 1, paragraph beginning on line 7, amend to read:

- Percutaneous vertebroplasty is a technique involving the injection of a biomaterial into a vertebral body in order to treat the defects therein. It is performed using a set of surgical equipment assembled to [compliment] complement such a procedure. For example, it is necessary to have equipment for prepping the patient's skin in order to provide antimicrobial effectiveness to the skin overlying the vertebrae. Equipment is also required to maintain the surgical area as clean and sterile as possible to help reduce the risk of infection. Equipment is further required to anaesthetize the patient to produce a reversible loss of sensation in the surgical area of the body, in preparation for incision. The incision is made by any suitable surgical equipment capable of cutting anatomical tissue. Also, it is necessary to have equipment with a sharp end able to penetrate the vertebral body for injection of the biomaterial into the vertebral body. Further, it is necessary to provide equipment for preparation of the biomaterial and delivery into the vertebral body.- -

Page 7, paragraph beginning on line 26, amend to read:

- First opacifier 92 is packaged in a sterile [satchet] sachet or equivalent storage means, In the present embodiment, where polymer powder 90, is methylmethacrylate then first opacifier 92 is barium powder. It is believed that there should be a mass of barium of from about ten percent to about fifty percent of the mass of the methylmethacrylate. Preferably, there should be a mass of barium of from about fifteen percent to about forty-five percent of the mass of methylmethacrylate. More preferably, there should be a mass of barium powder of from about twenty percent to about forty percent of the mass of methylmethacrylate. It is presently preferred, however, that there should be a mass of barium of about one-third of the mass of methylmethacrylate, and thus, where there are eighteen grams of methylmethacrylate there should be about six grams of barium. In general, it will be understood that a sufficient amount of barium should be added to the first cement such that [provides] a suitable radio-opacity is provided without degrading the physical properties of the first cement. Other suitable opacifiers, such as calcium phosphate, calcium carbonate, tantalum, tungsten or zirconium can be used, as will occur to those of skill in the art.- -

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